IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 539 OF 2006

Shri Manaji Kondaji Dhavale ....Applicant.

V/s

State of Maharashtra ....Respondent.

Mr. H.E. Palwe with Mr. Deshpande for the applicant.
Mr. R.Y. Mirza, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 1st March, 2006

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 1/2/2005 in connection with an offence punishable under section 302, 201 read with Section 34 of the Indian Penal Code registered at Ghoti Police Station vide C.R. No.92 of 2005. It is alleged that the applicant had a quarrel with the deceased in the market at Ghoti which was witnessed by number of people. Thereafter, the deceased did not return home. A missing complaint was filed by the relatives of the deceased. After the said complaint was filed, the applicant left the village. Thereafter, he was arrested on 1/2/2005. During the course of investigation, one human skull

was recovered at the instance of the applicant and other co-accused. There is also evidence in the form of dog squad which came to the house of the applicant which is another incriminating circumstance against the applicant. The charge has already been framed and the trial, therefore, is likely to begin within a short time. The application for bail is rejected. However, liberty is granted to the applicant to apply for bail if the trial is not over within a period of six months.

V.M. KANADE, J.